

EXHIBIT A

From: Marks, Jonathan <jmarks@pa.gov>
Sent: Tuesday, November 1, 2022 6:50 PM
To: Marks, Jonathan <jmarks@pa.gov>
Subject: Important DOS Email re: Undated Ballots
Importance: High

Dear county election official,

Please be advised that the Supreme Court of Pennsylvania issued the attached order this afternoon directing county boards of elections to “refrain from counting any absentee and mail-in ballots received for the November 8, 2022 general election that are contained in undated or incorrectly dated outer envelopes.” The Court also directed that counties “**segregate** and **preserve** any ballots contained in undated or incorrectly dated outer envelopes.”

This order means that you **must remember to do two things** as you pre-canvass and canvass absentee and mail-in ballots:

1. Segregate AND preserve these undated and incorrectly dated ballots; and
2. Do not count the votes cast on ballots with undated or incorrectly dated ballots

Warmest regards,

Jonathan Marks | Deputy Secretary for Elections and Commissions (*he, him, his*)

Office of the Secretary

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We hereby **DIRECT** that the Pennsylvania county boards of elections segregate and preserve any ballots contained in undated or incorrectly dated outer envelopes.

The Republican National Committee, the National Republican Congressional Committee, and the Republican Party of Pennsylvania have standing. Petitioners David Ball, James D. Bee, Jesse D. Daniel, Gwendolyn Mae Deluca, Ross M. Farber, Lynn Marie Kalcevic, Vallerie Siciliano-Biancaniello, and S. Michael Streib are hereby **DISMISSED** from the case for lack of standing.

Opinions to follow.

Chief Justice Todd and Justices Donohue and Wecht would find a violation of federal law.

Justices Dougherty, Mundy and Brobson would find no violation of federal law.